



State of California
The Natural Resources Agency
California Department of Forestry and Fire Protection (CAL FIRE)

NOTICE OF EXEMPTION

PROJECT TITLE	Pacific Union College Forest Conservation Easement		
PROJECT LOCATION	T8N, R05W, Section 3-8 & 10; T9N, R05W, Section 32-34 Near the town of Angwin, CA	COUNTY	Napa
LEAD AGENCY	California Department of Forestry and Fire Protection (CAL FIRE)		
CONTACT	Stewart McMorrow		
ADDRESS	Deputy Chief Forestry Assistance PO Box 944246, Sacramento CA 94244	PHONE	530.379.5085

PROJECT DESCRIPTION

This project is for purchase of a conservation easement on private property. The purpose of the conservation easement can be summarized as permanent protection of the working forest property to ensure that (1) it remain a working forest with no conversion to non-forest use and (2) no subdivision occur at any time in the future. This purpose has the desired outcome of conserving forest resources, soil resources, water resources, wildlife habitat, open space character, and scenic viewshed qualities of the Property. The conservation easement for the Pacific Union College (PUC) forest property is being purchased by the State of California, CAL FIRE with grant funds provided by the California Greenhouse Gas Reduction Fund (GGRF).

EXEMPTION STATUS

- ☒ Categorical Exemption Type/Section: Class 17 and 25 §15301 Existing Facilities
§15303 (e) New Construction
§15304 (f) Minor Alterations to Land
- ☐ Statutory Exemption (state code section):
- ☐ Ministerial (§21080(b)(1); 15268)
- ☐ Declared Emergency (§21080(b)(3); 15269(a))
- ☐ Emergency Project (§21080(b)(4); 15269(b)(c))

REASONS PROJECT IS EXEMPT

This project is exempt pursuant to CEQA Categorical Exemptions: Class 17 (Open Space Contracts or Easements) and Class 25 (Transfer of Ownership of Interest in Land to Preserve Existing Natural Conditions and Historical Resources). Class 17 consists of the establishment of agricultural reserves, the making and renewing of open space contracts under the Williamson Act, or acceptance of easements or fee interests in order to maintain the open character of the area. Class 25 consists of transfers of ownership in interests in land in order to preserve existing natural conditions and historical resources. Field review by CAL FIRE staff confirmed that no exceptions apply which would preclude the use of a Notice of Exemption for this project. The Department has concluded that no significant environmental impacts would occur. Documentation of the environmental review completed by the Department is kept on file at CAL FIRE's headquarters at: 1416 9th Street, Sacramento, CA 95814

DATE RECEIVED FOR FILING

Governor's Office of Planning & Research

AUG 28 2018

STATE CLEARINGHOUSE


Helge Eng, Deputy Director Date 7/2/18
California Department of Forestry and Fire Protection



California Department of Forestry and Fire Protection Environmental Review Report for an Exempt Project

Note: This report form is intended for use by California Department of Forestry and Fire Protection (CAL FIRE) staff to document a limited environmental impact analysis supporting the filing of a notice of exemption document for a proposed CAL FIRE project. Although the project appears to fit within the descriptions for allowable categorical exemptions, this report presents CAL FIRE's review for possible exceptions that would preclude finding the project to be categorically exempt as discussed in CEQA Guidelines Section 15300.2. This report will be filed with the CEQA administrative record for this project to document the environmental impact analysis conducted by CAL FIRE.

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Project Name: Pacific Union College
Project Number: None
Program Type: Conservation Easement
CAL FIRE Unit: State Forest Legacy Program
County: Napa
Acres: 860
Legal Location: T8N, R05W, Sections 3-8, 10;
T9N, R05W, Section 32-34
Name of USGS 7.5' Quad Map(s):
St. Helena, CA
☒ Project Vicinity Map Attached ☒ Project Location Map Attached ☐ Photos Attached

Other Public Agency Review or Permit Required:

Would the project result in:

- Alterations to a watercourse (DFW - Lake and Stream Alteration Agreement)
- Conversion of timberland (CAL FIRE - Conversion Permit or Exemption)
- Demolition (Local Air District - Demolition Permit)
- Soil disturbance over 1 acre (RWQCB - SWPPP)
- Fill of possible wetlands (404 Permit - USACE)
- Other:

YES

☐
☐
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NO

☒
☒
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Discuss any above-listed topic item checked Yes and consultation with agencies:

Project Description and Environmental Setting (describe the project activities, project site and its surroundings, its location, and the environmental setting):

This project is for purchase of a conservation easement on private property. The purpose of the conservation easement can be summarized as permanent protection of the working forest property to ensure that (1) it remain a working forest with no conversion to non-forest use and (2) no subdivision occur at any time in the future. This purpose has the desired outcome of conserving forest resources, soil resources, water resources, wildlife habitat, open space character, and scenic viewshed qualities of the Property. The conservation easement for the Pacific Union College (PUC) forest property is being purchased by the State of California, CAL FIRE with grant funds provided by the California Greenhouse Gas Reduction Fund (GGRF).

The PUC forest is located just northeast of Napa Valley in the mountainous area above Saint Helena, CA. PUC forest is located within the Howell Mountain Appellation, which is experiencing some of Napa's highest demand for wine grape and home development. The forest is adjacent to Las Posadas State Forest. The forest supports significant wildlife habitat and provides a major wildlife corridor between other conserved areas in the region. Notably, as the easternmost stand of coast redwoods, the adaption of this population to Napa's hotter and drier conditions could prove invaluable for the perpetuation of the species as climate change affects these coastal areas.

Environmental Impact Analysis

Aesthetics

- ☐ This topic does not apply to this project and was not evaluated further.
☒ This topic could apply to this project, and results of the assessment are provided below:

The Conservation Easement will preserve the property's forest, range and oak woodlands which contribute to the scenic integrity of the surrounding area. Conservation will provide a significant public benefit with no adverse impact.

Agriculture and Forest Resources

- ☐ This topic does not apply to this project and was not evaluated further.
☒ Yes ☐ No Would any trees be felled? If yes, discuss protection of nesting birds, if necessary.
☐ Yes ☒ No Would the project convert any prime or unique farmland?
☐ Yes ☒ No Would the project result in the conversion of forest land or timberland to non-forest use?

- ☒ This topic could apply to this project, and results of the assessment are provided below:

The proposed project will allow agricultural use to continue consistent with the Conservation Easement. There will be no new impacts.

The proposed project will allow timber harvest to continue, which will be guided under an approved Timber Management Plan or similar harvest document. The Timber Management Plan will detail general guidelines and restrictions required by the Conservation Easement and Forest Practice Rules. All harvest will be evaluated and regulated under an approved Harvest Document (THP, NTMP, etc.) Each individual Harvest Document will be reviewed for CEQA compliance by a multi-agency Review Team, which will review and mitigate any potential environmental impacts as necessary. Any and all potential mitigations will be incorporated into the Harvest Document to be implemented during operations. Because of this functionally equivalent review and incorporation of mitigations for any impacts, no significant impacts to the resource shall occur.

Air Quality

- ☒ This topic does not apply to this project and was not evaluated further.
☐ Yes ☒ No The local Air Quality Management District guidelines for dust abatement and other air quality concerns were reviewed for this project.
☐ This topic could apply to this project, and results of the assessment are provided below:

The placement of a Conservation Easement will have no significant impact on air quality either through the increase of particulate matter from burning or dust during harvest operations. Both of these potential impacts are controlled by both the Air Quality Management District (burning) and the Forest Practice Rules (CEQA review) for dust abatement.

Biological Resources

- ☐ This topic does not apply to this project and was not evaluated further.
☐ Yes ☒ No Will the project potentially effect biological resources?
☒ Yes ☐ No Was a current California Natural Diversity Database review completed? Results discussed below:
☒ Yes ☐ No Was a biological survey of the project area completed? Results discussed below:
☒ This topic could apply to this project, and results of the assessment are provided below:

The Conservation Easement transaction will not change any stream or watercourse, or lower the protection of these components during harvest activities. Compliance with protection measures afforded via the Forest Practice Rules will still be required. The Conservation Easement will continue to afford protection for water quality, water supply riparian areas and wildlife habitat. A CNDDB Database search, as well as biological surveys will be conducted and wildlife and watercourse protection addressed during the preparation of the Forest Management Plan. Prior to any future timber harvest, the appropriate CEQA compliant Harvest Document will be prepared. All results will be evaluated and protection of any endangered species and Species of Special Concern will be afforded as necessary.

Cultural Resources

- ☐ This topic does not apply to this project and was not evaluated further.
- ☐ Yes ☒ No Was a current archaeological records check completed? Results discussed below:
- ☒ Yes ☐ No Was a CAL FIRE staff or contract archaeologist consulted? Results discussed below:
- ☐ Yes ☒ No Was an archaeological survey of the project area completed? Results discussed below:
- ☐ Yes ☒ No Will the project effect any historic, archaeological or tribal cultural resources?
- ☐ This topic could apply to this project, and results of the assessment are provided below:

For the purposes of the conservation easement, CAL FIRE is acquiring the easement with intention of protecting forest and rangeland uses. Accordingly, the activity and its supporting documentation were reviewed by the CAL FIRE archaeology program to determine what level of archaeological survey, investigation, and reporting might be required per departmental procedure and agreements.

Below is a written opinion from Rich Jenkins, Senior State Archaeologist for the Northern Region:

"For the purposes of the conservation easement, CAL FIRE is acquiring the property with intention of protecting current forest management activities. Accordingly, the activity and its supporting documentation were reviewed to determine what level of archaeological survey, investigation, and reporting might be required, if any, per departmental procedure and agreements. Two documents, one titled "Archaeological Review Procedures for CAL FIRE Projects" (2010) and the other "Programmatic Agreement Among The U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service, CAL FIRE, California SHPO, and the Advisory Council on Historic Preservation regarding Compliance with Section 106 of the National Historic Preservation Act for Federally Funded Programs Administered by the California Department of Forestry and Fire Protection on Nonfederal Lands in California" (2004) were reviewed to determine whether the project might be exempt from any requirement for additional archaeological studies.

The documents cited above each contain a list of exempt project practices. These are practices that do not contain ground disturbing activities and therefore do not jeopardize the significance of any cultural resources that may be present. Both of the above-listed documents list Conservation Easements as Exempt Practice #13 "Conservation Easement and Fee Title Purchase: Acquisition of easements and fee title purchase of forest lands with the intention of keeping the lands in traditional forest uses and to prevent conversion to non-forest uses. The title will be held by either, state or local government." Note that any future activities, either federal undertakings or state or local projects that are proposed on the conservation easement, may require appropriate archaeological, cultural and historic sites review and compliance with applicable rules and regulations that pertain to the lead agency involved with those activities. Such review and rule compliance should ensure that there will be no significant effects to significant cultural resources.

It is therefore concluded that proposed project to establish a conservation easement on the Pacific Union College parcel in Napa County is exempt from any further archaeological evaluation, survey, investigation, and reporting requirements."

Geology and Soils

- ☐ This topic does not apply to this project and was not evaluated further.
- ☒ This topic could apply to this project, and results of the assessment are provided below:

Potential impacts to geology and soils have the highest probability to occur during timber harvesting. All harvest, as well as associated impacts such as soil erosion and soil compaction will be evaluated and regulated under an approved Harvest Document (THP, NTMP, etc.) Each individual Harvest Document will be reviewed for CEQA compliance by a multi-agency Review Team, which will review and mitigate any potential environmental impacts as they relate to geology and soils, as necessary. Any and all potential mitigations will be incorporated into the Harvest Document to be implemented during operations to ensure there are no significant effects to geology and soils. The placement of the easement will most likely have a positive influence on geology and soils by removing the possibility of the conversion of potentially hundreds of acreage of timber and rangeland into subdivisions or vineyards.

Greenhouse Gas Emissions

- ☐ This topic does not apply to this project and was not evaluated further.
- ☐ Yes ☒ No Would the project generate significant greenhouse gas (GHG) emissions?
- ☐ Yes ☒ No Would these GHG emissions result in a significant impact on the environment? Discuss below:

☐ Yes ☒ No Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? Discuss below:

Short term minor increases in emissions will periodically occur during the course of timber operations due to heavy equipment burning fossil fuels as well as the removal of stored carbon in the form of logs harvested. This carbon will be offset and the overall sequestration of carbon will increase over time by the removal of poor growing, less healthy trees (as indicated within the management plan and reviewed for CEQA compliance by the Forest Practice Rules), and allowing genetically and phenotypically superior trees to remain within the stand, over the entire ownership, sequestering more carbon per acre over time. The overall improvement of forest health over time will also decrease the likelihood of large amounts of carbon being released suddenly due to catastrophic wildfire.

The Conservation Easement will preserve and enhance the long term sequestration of carbon by removing the threat of conversion and providing for a long term guidance document (management plan), which will enhance forest health, increase growth and sustainability and reduce overall tree mortality. No significant effects to greenhouse gases are expected from adoption of the conservation easement.

Hazards and Hazardous Materials

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

No hazardous materials are currently stored on the ownership, and hazard material use is not and will not be required or associated with the placement of the Conservation Easement. Overall hazard will not increase as a result of the existence of the Conservation Easement.

Hydrology and Water Quality

- ☐ This topic does not apply to this project and was not evaluated further.
☐ Yes ☒ No Will the project potentially affect any watercourse or body of water?
☒ This topic could apply to this project, and results of the assessment are provided below:

Potential impacts to hydrology and water quality have the highest probability to occur during timber harvesting. All harvest, as well as associated impacts such as soil erosion and soil compaction will be evaluated and regulated under an approved Harvest Document (THP, NTMP, etc.) Each individual Harvest Document will be reviewed for CEQA compliance by a multi-agency Review Team, including the Regional Water Quality Control Board, which will review and mitigate any potential environmental impacts as they relate to hydrology and water quality, as well as issue required permits and waivers. Any and all potential mitigations will be incorporated into the Harvest Document to be implemented during operations. The placement of the easement will most likely have a positive influence on these resources by removing the possibility of the conversion of potentially hundreds of acreage of timber and rangeland into subdivisions or vineyards.

Acquisition of the Conservation Easement for this project would benefit hydrology and water quality as it would eliminate the potential for residential or commercial development. Current allowed uses would continue (forestry, ranching and hunting activities), while providing public and educational opportunities.

Land Use and Planning

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

The Conservation will not adversely affect land use or planning within the area. The Easement may positively affect land use and planning by serving as a positive example to other landowners within the county for the viability and usefulness of Conservation Easements as an option to conversion.

Mineral Resources

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

The Conservation Easement specifically restricts the landowner's ability to utilize and/or exploit existing minerals within the ownership in perpetuity. No adverse impacts will occur concerning mineral resources due to the existence and placement of the Conservation Easement

Noise

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

The ownership is located in a rural portion of the county with a very small population that could be potentially impacted by the infrequent occurrences of noise created by logging equipment. The potential for negative impacts for noise is covered within the Cumulative Impacts Analysis portion of any Timber Harvest Plan that will be prepared and reviewed for CEQA compliance before any timber operations commence.

The Conservation Easement will have a positive impact for noise by removing the possibility for conversion. Subdivision would exponentially increase the population and long term ambient noise.

Population and Housing

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

The Conservation Easement removes all possibility of future development for housing, subdivision and vineyard. No negative impacts to population and housing will occur.

Public Services

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

No existing public services currently provided will be impacted by the existence of the Conservation Easement however additional public access afforded by this project will improve public services.

Recreation

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

The easement will only serve to benefit recreational opportunities within the area by providing additional public access to forest trails.

Transportation and Traffic

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

The Conservation Easement will not change transportation or traffic within the area. Given the easement's restriction on future development, may actually reduce the potential for future impacts.

Utilities and Service Systems

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

The Conservation Easement will not change or alter utilities and service systems within the area.

Changes Made to Avoid Environmental Impacts:

The placement of a Conservation Easement on the property will not physically change or impact the property. The Easement will assure the protection of resources and open space by eliminating residential and vineyard development pressure and allow for continued traditional forestry, ranching and hunting activities while providing public recreational and educational opportunities. The Easement does not provide the landowner any relief from CEQA or other environmental review requirements. Any and all environmental review as related to the above mentioned activities required before will be required after the Easement is in place.

Mandatory Findings of Significance:

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

(a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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(b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects.

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

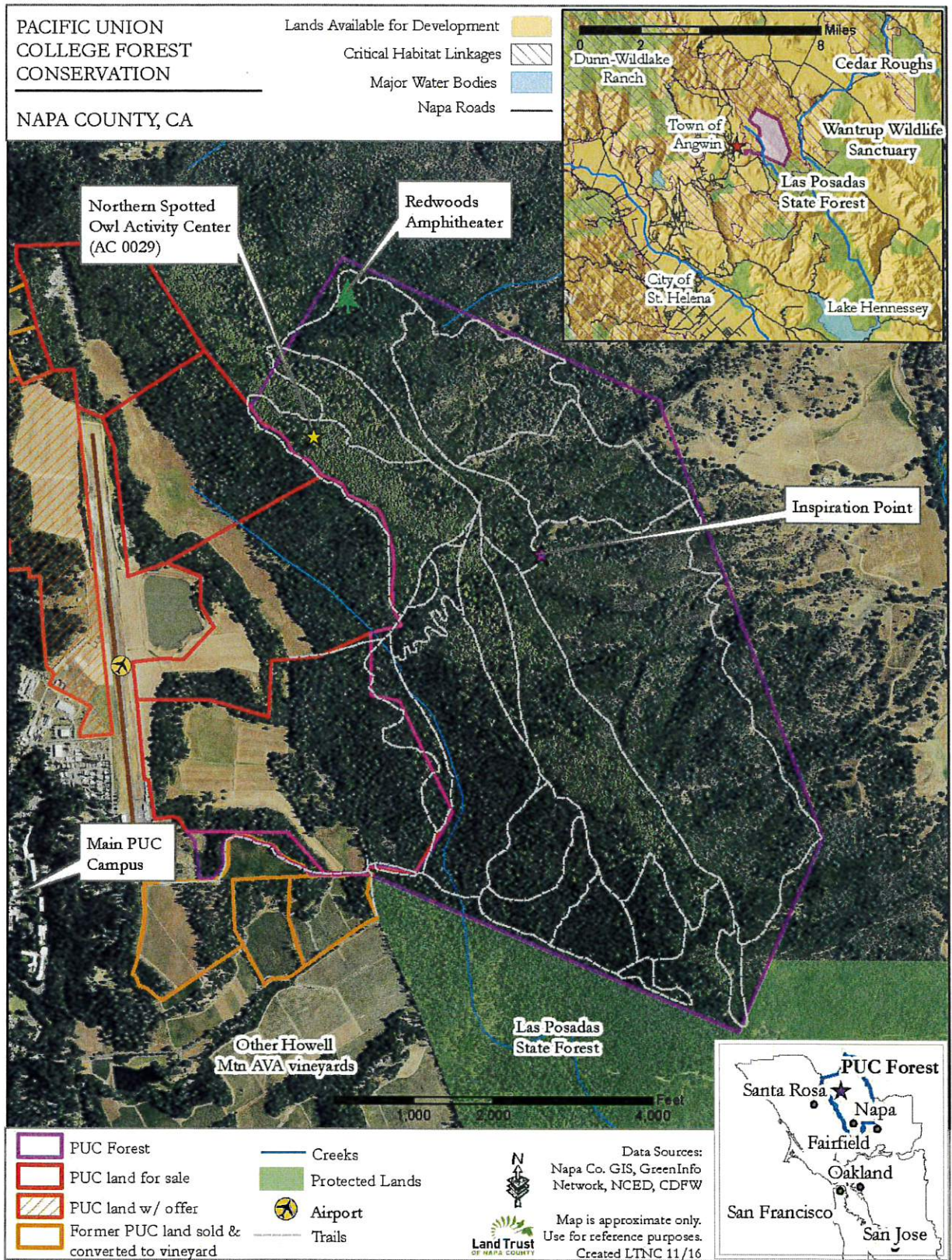
Justification for Use of a Categorical Exemption (discuss why the project is exempt, cite exemption number(s), and describe how the project fits the class):

This project is exempt pursuant to CEQA Categorical Exemptions: Class 17 (Open Space Contracts or Easements) and Class 25 (Transfer of Ownership of Interest in Land to Preserve Existing Natural Conditions and Historical Resources). Class 17 consists of the establishment of agricultural reserves, the making and renewing of open space contracts under the Williamson Act, or acceptance of easements or fee interests in order to maintain the open character of the area. Class 25 consists of transfers of ownership in interests in land in order to preserve existing natural conditions and historical resources. Field review by CAL FIRE staff confirmed that no exceptions apply which would preclude the use of a Notice of Exemption for this project. The Department has concluded that no significant environmental impacts would occur. Documentation of the environmental review completed by the Department is kept on file at CAL FIRE's headquarters at: 1416 9th Street, Sacramento, CA 95814

Conclusion:

☒ After assessing potential environmental impacts and evaluating the description for the various classes of categorical exemptions to CEQA, CAL FIRE has determined that the project fits within one or more of the exemption classes and no exceptions exist at the project site which would preclude the use of this exemption. CAL FIRE considered the possibility of (a) sensitive location, (b) cumulative impact, (c) significant impact due to unusual circumstances, (d) impacts to scenic highways, (e) activities within a hazardous waste site, and (f) significant adverse change to the significance of a historical resource. A notice of exemption will be filed at the State Clearinghouse.

☐ After assessing potential environmental impacts and evaluating the description for the various classes of categorical exemptions to CEQA, CAL FIRE has determined that the project does not fit within the description for the various exemption classes or has found that exceptions exist at the project site that precludes the use of a categorical exemption for this project. Additional environmental review will be conducted and the appropriate CEQA document used may be a negative declaration or a mitigated negative declaration.



Project location and vicinity map

